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July 23, 2018

National Freedom of Information Officer U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW (2822T) Washington, D.C. 20460

Regional Freedom of Information Officer U.S. EPA, Region 4 AFC Bldg, 61 Forsyth Street, S.W. 9th Flr (4PM/IF) Atlanta, GA 30303-8960

> RE: Freedom of Information Act Request

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and the United States Environmental Protection Agency's ("EPA") FOIA regulations, 7 C.F.R. Part 1, we respectfully requests copies, or reasonable access for the purposes of inspection and copying, of all documents and information related to W. Thomas Butler Farms, LLC, located at 4037 Darroch Road, Lillington, North Carolina, 27546, also known as "Butler Farm" (hereinafter referred to as the "Site" or "Butler Farms"), which have been received or otherwise under the control of the EPA as outlined below.

For purposes of these requests, "document" refers to any electronic, written, graphic, video, or audio matter, however produced or reproduced, whether draft or final versions, and including but not limited to correspondence, e-mails, notes, interoffice communications, reports, memoranda, minutes, summaries, telephone records, telephone message logs or slips, PowerPoint presentations, meeting agendas, transcripts, call lists, spreadsheets, maps, photographs, data compilations, indices, privilege logs, or calendars.

In responding to these requests, EPA's search should encompass, but should not be limited to: (a) documents sent to or from e-mail addresses used by current or former NCRC employees and representatives, regardless of whether such addresses are private or secondary addresses of official addresses; (b) documents generated for any meeting which EPA participated or conducted, including agendas, spreadsheets, PowerPoint presentations, and notes; and (c) documents relating to or evidencing presentations made by any party to agencies or entities other than EPA.

If a requested document is not in your possession, custody, control, or otherwise not accessible by you, but you are aware or have reason to believe that such documents exist, please let me know what

entity or party you understand to be in possession, custody, or control of such documents and/or where such document might be located.

We request EPA to produce the following:

- 1. Any and all grant applications submitted for all waste management systems or equipment related to Butler Farms;
- 2. Any and all cost share applications for all waste management systems or equipment related to Butler Farms;
- 3. Any and all profit and loss statements related to Butler Farms;
- 4. Any and all manuals for all waste management technology on Butler Farms; and
- 5. Any and all documents related to evaluations of any waste management technologies tested or implemented on Butler Farms.
- 6. Any and all documents related to the regulatory compliance history of the Butler Farm.

We request that in responding to this letter, EPA comply with all relevant deadlines and other obligations set forth in FOIA and EPA's regulations, and we look forward to receiving your response within 20 working days. 5 U.S.C. § 552(a)(6)(A)(i); 40 C.F.R. § 2.104(a). Please produce records on a rolling basis; the search for—and deliberation concerning—certain documents should not delay the production of others that the EPA has already retrieved and could turn over. Please note that McGuireWoods is interested in working with the EPA to ensure that the burden associated with this FOIA request is minimized to the extent practicable, including discussing phased or prioritized document productions.

We prefer to receive electronic documents, and not paper copies, whenever possible. To the extent possible, we request that EPA provide the requested information in searchable, electronic format on CD, DVD, or external hard drives of sufficient size to contain the production. Electronic files should be provided in their original format, not in PDF containers. Individual e-mails, and their attachments, should be maintained as single MSG files. If this is not possible, then e-mails and their attachments should be provided in either PST or NSF containers, thereby preserving all attachments information.

We understand that there may be fees and costs associated with this request, and we agree to pay any fees or costs associated with making these materials available to us. If the costs will be in excess of \$500, please contact my paralegal, Sonna Greene, in my office (sigreene@mcguirewoods.com or 919.755.6672) or me at the number provided above before such costs are incurred.

In responding to the present letter, please mail copies of all requested documents, indices, logs, and any invoice for reasonable FOIA fees to the undersigned.

Thank you for your assistance.

Very truly yours,

W. Dixon Snukals